

OCT 31 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: R. L. KENDALL ET AL.

Serial No. - 10/022,939

Filed: December 18, 2001

For: HUMAN RECEPTOR TYROSINE KINASE, KDR

Art Unit: 1646

Examiner: C. M. KAUFMAN

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to the waiver by the Office of the requirement under 37 CFR 1.98 (a)(2)(i) dated July 11, 2003, if the filing date of this application is after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By Sinda A. Hudell Date 10/28/2003

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

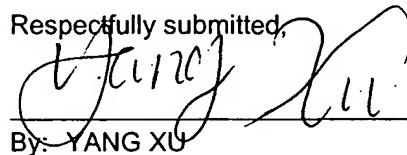
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☒ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: YANG XU

Attorney _____ For Applicant(s)

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Date: October 28, 2003

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet

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of

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COMPLETE IF KNOWN

Application Number	10/022,939
Filing Date	December 18, 2001
First Named Inventor	R L KENDALL ET AL
Group Art Unit	1646
Examiner Name	C M KAUFMAN
Attorney Docket Number	19963YDB

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U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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Examiner
Signature

Date
Considered

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

OCT 31 2003

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COMPLETE IF KNOWN

Application Number	10/022,939
Filing Date	December 18, 2001
First Named Inventor	R L KENDALL ET AL
Group Art Unit	1646
Examiner Name	C M KAUFMAN
Attorney Docket Number	19963YDB

Sheet

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of

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
		Ferrara, N. et al; The Vascular Endothelial Growth Factor Family of Polypeptides; Journal of Cellular Biochemistry, Vol. 47; 1991; pp. 211-218.
		Maglione, D. et al; Two Alternative mRNAs coding for the angiogenic factor, placenta growth factor (PIGF), Are Transcribed from a Single Gene of chromosome 14; Oncogene; Vol 8, 1993, pg. 925-931.
		Hauser, S. et al.; A Heparin-Binding Form of Placenta; Growth Factor (PIGF-2) is Expressed in Human Umbilical Vein Endothelial Cells and in Placenta; Growth Factors; Vol 9, 1993; pp. 259-268.
		Grimmond, S. et al; Cloning and Characterization of a Novel Human Gene Related to Vascular Endothelial Growth Factor; Genome Research; Vol 6, 1996; pp. 124-131.
		Olofsson, B. et al; Vascular Endothelial Growth Factor B, A Novel Growth Factor for Endothelial cells; Proc. Natl. Acad. Sci. USA, Vol 93, 1996; pp. 2576-2581.
		Joukov, V. et al; A Novel Vascular Endothelial Growth Factor, VEGF-C is a Ligand for the FLT (VEGFR-3) and KDR (VEGFR-2) Receptor Tyrosine Kinases; The EMBO Journal; Vol 15; No. 2; 1996; pp. 290-298.
		Shibuya, M. et al. Nucleotide Sequence and Expression of a Novel Human Receptor-Type Tyrosine Kinase Gene (FLT) closely Related to the fms Family; Oncogene; Vol. 5, 1990, pp. 519-524.
		Pajusola, K. et al, FLT4 Receptor Tyrosine Kinase Contains Seven Immunoglobulin-like Loops and Is Expressed in Multiple Human Tissues and Cell Lines; Cancer Research; Vol. 52, 5738-5743.
		Terman, B.I. et al; Identification of a New Endothelial Cell Growth Factor Receptor Tyrosine Kinase; Oncogene; Vol 6, 1991, pp. 1677-1683.
		Terman, B.I. et al; Identification of the KDR Tyrosine Kinase as a Receptor for Vascular Endothelial Cell Growth Factor, Biochemical & Biophysical Research Communications; Vol 187, No. 3; 1992, pp. 1579-1586.
		Rockwell et al. 'In Vitro Neutralization...Monoclonal Antibody', Mol. Cell Differ., Vol. 3(1), pp. 91-109 (1995)

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